

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RONALD D. FOSTER,)
Petitioner)
vs.) No. CIV-05-1443-C
RANDALL G. WORKMAN, Warden,)
Respondent)

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Report and Recommendation on March 17, 2006, to which petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned opinion of the Magistrate Judge. No point would be served in repeating that analysis. In his objection, petitioner merely restates the conclusions and legal argument originally asserted, and raises no issue not fully and accurately addressed and correctly rejected by the Magistrate Judge. No argument of fact or law is set forth in the objection which would require a different result.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, the petition for habeas corpus relief is dismissed as untimely. As no amendment can cure the defect, this dismissal acts as an adjudication on the merits, and a judgment will enter.

IT IS SO ORDERED this 13th day of April, 2006.



ROBIN J. CAUTHRON
United States District Judge